

Message Text

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ORIGIN EB-07

INFO OCT-01 CIAE-00 COME-00 DODE-00 NRC-05 NSAE-00 USIA-06

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RPE

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FM SECSTATE WASHDC

TO USMISSION OECD PARIS

C O N F I D E N T I A L STATE 126939

EXCON

E.O. 11652: XGDS-1

TAGS: ESTC, COCOM

SUBJECT: EXPORT OF RECONDITIONED EQUIPMENT

REF: A) OECD PARIS 14718, B) STATE 99405, C) ANNEX TO
COCOM DOC PROC (76)2.2

1. WE APPRECIATE BELGIAN EFFORTS TO FIND COMPROMISE
PROPOSAL ACCEPTABLE TO COMMITTEE. HOWEVER, PROCEDURE
SUGGESTED BY BELGIANS APPEARS TO US MORE COMPLICATED THAN
US PROPOSAL (REF B), IN PARTICULAR, NEED TO REPORT CONTRACT
PROVISIONS FOR RECONDITIONING. IN MANY CASES SUCH
REPORTING WILL BE UNNECESSARY SINCE RECONDITIONED EQUIP-
MENT MAY NOT BE REPLACED FREQUENTLY. WE PREFER THE
PROCEDURE SPELLED OUT IN REF B BUT WITH THE DELETION
OF POINT 3. US POSITION NOW IS (1) ACCEPTANCE OF THE
BELGIAN PROPOSAL (REF C) BUT WITH DELETION REPORTING
REQUIREMENT, (2) REARRANGEMENT OF COCOM DOC (73)3 AS IN
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POINTS 1 AND 2 OF REF B, (3) DELETION OF POINT 3 AND

(4) RETENTION OF POINT 4. HOWEVER, FOR ITS PART US WISHES TO STATE FOR THE RECORD THAT IT WILL BE PREPARED APPROVE EXCEPTION CASES IN COMMITTEE INVOLVING REPLACEMENT OF PREVIOUSLY SUPPLIED EQUIPMENT ONLY WHEN IT IS SATISFIED THAT PROVISION OF ADDITIONAL EQUIPMENT IS JUSTIFIED PER SE OR THAT ORIGINAL EQUIPMENT HAS NOT BEEN RECONDITIONED TO MAKE REPLACEMENT UNNECESSARY. WE VIEW THIS AS LEGITIMATE EXAMINATION OF END USE JUSTIFICATION AND WOULD EXPECT OTHER COUNTRIES APPLY SAME EXAMINATION TO US CASES.

2. DISCUSSION IN EXPORT CONTROL SUBCOMMITTEE ACCEPTABLE BUT WE QUESTION WHETHER INTRODUCING THIS QUESTION DE NOUVEAU IN SUBCOMMITTEE IS NECESSARY. ROBINSON

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